

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marc O. Schurr

Application No.: 10/722,109

Filed: 11/25/2003

For: Medical Implant

Group No.: 3738

Examiner: Matthews, W.H.

**RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP  
3738**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION—TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

STATUS

2. Applicant is other than a small entity .

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	OTHER THAN SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	
TOTAL	5	MINUS	18	= 0	x \$ 50.00	= \$	0.00
INDEP	1	MINUS	3	= 0	x \$ 200.00	= \$	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+ \$ 0.00	= \$	0.00
						TOTAL	\$ 0.00
						ADDIT. FEE	


No additional fee for claims is required.

### FEE DEFICIENCY

5. If any extension and/or fee is required, charge Account No. 19-4972.

If any fee for claims is required, charge Account No. 19-4972.

Date: November 29, 2006

  
 Timothy M. Murphy  
 Registration No. 33,198  
 BROMBERG & SUNSTEIN LLP  
 125 Summer Street  
 Boston, MA 02110-1618  
 US  
 617-443-9292  
 Customer No. 02101

02757/00101 579532.1